

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

AH,DD&F Dept. – Appointment to Sri P.Veera Raju S/o P. Subba Rao R/o Vemur, Guntur District on Compassionate Grounds under medical invalidation scheme as Office Subordinate – Implementation of order dated:8-3-2017 of Hon'ble High Court of A.P & T.S in W.P No.30230 of 2016 - Orders – Issued.

ANIMAL HUSBANDRY, DAIRY DEVELOPMENT & FISHERIES (AH-II) DEPARTMENT

G.O.MS.No. 27

Dated: 11-07-2017
Read the following:-

1. From the Director of Animal Husbandry, Hyderabad Lr.Roc.No.5851/BV/ B6/2011, Dt.27-06-2011.
2. Interim Orders of APAT dated 27-02-2013 in OA No.1391 of 2013 filed by Sri P.Veera Raju S/o P.Subba Rao.
3. Government Memo No. 1471/AH-II(2)/2013-1, dated 21-10-2013
4. Representation of Sri P.Veera Raju S/o P.Subba Rao dated:30-05-2015.
5. Government Memo No.1471/AH-II(2)/2013, dated.6-6-2015.
6. From the Assistant Registrar, High Court of Judicature at Hyderabad for the State of Telangana and the State of A.P. Orders dated:8-3-2017 in W.P No.30230 of 2016.
7. Government Memo No. 1471/AH-II(2)/2013, dated.11-05-2017.
8. From the JD(AH), Guntur Letter Roc.No.4371/BII/2010, dt:22-05-2017.
9. From the Director of Animal Husbandry, A.P., Vijayawada Lr.Roc.No.1639/B.V/B.10/2017, Dated:27/04/2017.

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ORDER:-

In the letter 1st read above, the Director of Animal Husbandry, A.P. has stated that, Sri P. Subba Rao, Attender, Veterinary Dispensary, Vemur, Guntur was retired on medical invalidation w.e.f. 30-05-2001. Sri P.Veera Raju S/o P.Subba Rao has requested for compassionate appointment on Medical Invalidation grounds. The request of the individual was rejected by the Government vide Memo No.1149/AH-II(2) /2002-03, dated. 28-12-2002 as it is not feasible for acceptance in terms of orders issued in the G.O.Ms.No.202, G.A. (Ser-A) Deptt., dated 27-04-2002 and G.O.Ms.No.305, G.A. (Ser-A) Department, dated. 17-07-2002. He has also stated that, the Government have issued orders on reviving the scheme of compassionate appointments on medical invalidation of Government employees vide G.O.Ms.No.661, G.A.(Ser-G) Department, dt.23-10-2008. Accordingly, the Joint Director (AH), Guntur has submitted proposal to permit him for appointment of Sri P.Veera Raju S/o Sri P.Subba Rao as per G.O. Ms.No.661, General Administration (Ser-G) Department, dated 23-10-2008. The Director of Animal Husbandry has therefore requested the Government to issue suitable orders in the matter as it is not mentioned about the applicability of old cases in the said G.O.

2. In the meanwhile, Sri P.Veera Raju has approached the APAT by filing O.A No.1391/2013 for appoint him as Attender on compassionate grounds. In the reference 2nd read above, the APAT in its interim orders dated.27-02-2013 in OA No.1391/2013, directed the Government to pass appropriate orders on the proposal of the Director of Animal Husbandry in Letter Roc. No.5851/BV/ B6/2011, dated. 27-06-2011 keeping in view of the clarification issued by the Government vide Cir. Memo No.43785/Ser-G/2010-5, dated 12-12-2011.

3. In the reference 3rd read above, the Government have issued orders stating that the request of Sri P.Veera Raju S/o Sri P.Subba Rao, for his appointment as Office Subordinate may not be feasible for acceptance as his father retired on medical invalidation grounds on 30-05-2001 and his case was not considered prior to orders issued dispensing with the scheme of Compassionate appointment on medical invalidation grounds in G.O.Ms.No.202, G.A. (Ser-A) Department, dated 27-04-2002 read with G.O.Ms.No.305, G.A. (Ser-A) Department, dt.17-07-2002 and Cir. Memo No.43785/Ser-G/2010-5, dated 12-12-2011.

4. In the reference 4th read above, Sri P.Veera Raju S/o Sri P.Subba Rao has again represented to Government requesting to pass appropriate orders on the proposal sent by Director of Animal Husbandry letter dated.27-6-2011.
5. As the Government have already issued the appropriate orders in the reference 3rd read above, in the reference 5th read above, the individual was informed that "keeping in view of the interim orders of APAT dated.27-2-2013, appropriate orders were issued on the proposal of the Director of Animal Husbandry vide reference 3rd read above. Copy of the same has been sent to the individual.
6. Aggrieved by the orders issued in the references 3rd and 5th read above, Sri P.Veera Raju S/o Sri P.Subba Rao has approached the Hon'ble High Court and filed W.P No.30230 of 2016 and W.P.MP.No.37394 of 2016.
7. In the reference 6th read above, at the stage of admission, the Hon'ble High Court passed the orders. In the said order the Hon'ble Court quoted the common order dated 2-4-2004 in WP No.3912 of 2011 and batch and mentioned that, in the light of said binding precedent, it is not open to the authorities to treat the petitioner differently on the ground that he would not be covered by G.O.Ms.No.661 dated 23.10.2008. Accordingly, the Hon'ble High Court of A.P & T.S directed the Government that, the petitioner shall forthwith be considered for regular appointment to any suitable post, subject to availability of vacancy and eligibility. This exercise shall be completed expeditiously and, in any event, not later than eight weeks from the date of receipt of a copy of the order.
8. In the Govt. memo 7th read above, the Joint Director(AH), Guntur has been requested to furnish the vacancy position of the post of Office Subordinate in Guntur District and also eligibility of the petitioner in W.P. No.30230 of 2016 i.e. Sri P.Veera Raju S/o Subba Rao R/o Vemur, Guntur District to Government, within a week.
9. In the letter 8th read above, the J.D(AH), Guntur has submitted the vacancy position of Office Subordinate in Guntur District and also educational qualification of the individual as per availability of records of their office.
10. In his letter 9th read above, the Director of Animal Husbandry has requested the Government to accord permission to the Joint Director(AH), Guntur to appoint Sri P.Veera Raju as Office Subordinate who is the appointing authority in relaxation of relevant rules keeping in view of the directions of the Hon'ble High Court of A.P. and Telangana dated:8/3/2017 in W.P.No.30230 of 2016.
11. After careful examination, Government hereby accord permission to the Director of Animal Husbandry, A.P., Vijayawada to appoint Sri P.Veera Raju S/o P.Subba Rao R/o Vemur, Guntur District as Office Subordinate on compassionate grounds under medical Invalidation duly following the rule of reservation and other relevant rules in force, to implement the order dated: 8-3-2017 of Hon'ble High Court of A.P. & TS in W.P No.30230 of 2016.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Director of Animal Husbandry, A.P., Vijayawada

Copy to:-

The individual through Director of Animal Husbandry, A.P., Vijayawada

The Joint Director(AH), Guntur.

The Director, Local Fund Audit, Andhra Pradesh, Vijayawada.

SF/SC

//FORWARDED::BY::ORDER//

SECTION OFFICER